

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH D. RUCKER,

Plaintiff,

v.

C. CONICK, et al.,

Defendants.

Case No. [21-cv-02130-EMC](#)

ORDER OF DISMISSAL

On October 13, 2021, the Court determined that the *pro se* prisoner's civil rights complaint in this action failed to state a claim upon which relief may be granted. Docket No. 11. The Court granted Plaintiff leave to file an amended complaint no later than December 17, 2021, and cautioned Plaintiff that failure to file an amended complaint by the deadline would result in the dismissal of this action. *Id.* at 8.

Plaintiff did not file an amended complaint, and the deadline by which to do so has long passed. For the foregoing reasons, and the reasons stated in the order of dismissal with leave to amend, this action is **DISMISSED** for failure to state a claim upon which relief may be granted.

The Clerk shall close the file.

IT IS SO ORDERED.

Dated: February 9, 2022



EDWARD M. CHEN
United States District Judge